



**THE ATTORNEY GENERAL
OF TEXAS**

CRAWFORD C. MARTIN
ATTORNEY GENERAL

AUSTIN, TEXAS 78711

August 14, 1967

Commissioner Jim C. Langdon
Chairman
Railroad Commission of Texas
Austin, Texas

Opinion No. M- 121

Re: Whether employees of
the Texas Railroad
Commission may be paid
travel expense in con-
nection with attending
dedication ceremonies
sponsored by the Texas
State Historical Sur-
vey Committee

Dear Mr. Langdon:

You have requested our opinion on whether the State can legally pay the expenses of a State employee who attended the dedication ceremonies sponsored by the Texas State Historical Survey Committee. You stated in your request that a representative of the Railroad Commission was requested to be present at the dedication ceremonies commemorating the early oil industry and that the Commission designated one of its employees to attend the dedication ceremony and represent the Commission.

The Legislature created the Texas State Historical Survey Committee for the purpose of providing leadership and co-ordination services in the field of historical preservation. The Texas State Historical Survey Committee was declared to be a State agency by Section 1 of Senate Bill 426, Acts 55th Legislature, 1957, Regular Session, Chapter 500, page 1460, now codified as Article 6145, Vernon's Civil Statutes.

Section 9 of Article 6145 provides that the Committee shall give direction and co-ordination to the State historical marker program, and shall continue to assist and advise the State Building Commission with regard to proper memorials and monuments to be erected, repaired, and removed to new locations, and selections of sites therefor, and the locating and marking of graves.

Section 10 of Article 6145 provides that the Committee shall work with the State Highway Department, Texas State Parks Board, and all other State agencies and institutions with interests or responsibilities in this field, in the development of mutual objectives.

Hon. Jim C. Langdon, page 2 (M- 121)

The Historical Survey Committee was appropriated \$159,904.00 by the 59th Legislature to carry out its duties which included expenses for travel in connection with dedication of historical markers.

The declared intent of the Legislature as set out above in Section 10 of Article 6145 is that all State agencies shall co-operate and assist the Historical Survey Committee in carrying out the duties imposed upon it by the Legislature. In sending a representative from the Railroad Commission, either a Commissioner or an employee, to attend a dedicated ceremony as requested by the Survey Committee and upon their invitation, the Railroad Commission was only complying with the mandatory intent of the Legislature in co-operating with the Historical Survey Committee.

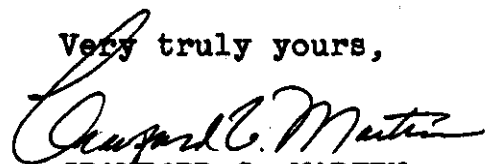
The sole reason for attending the dedication ceremonies was to represent the Railroad Commission at the ceremonies as requested by the Survey Committee and to co-operate with the Survey Committee as required by Article 6145.

Therefore, it is the opinion of this office that a designated State employee who represents his agency in attending a dedication ceremony sponsored by the Historical Survey Committee is engaged in State business and is entitled to receive his expenses in accordance with existing statutes.

SUMMARY

A designated State employee who attends a dedication ceremony sponsored by the Texas Historical Survey Committee is engaged in State business and is therefore entitled to receive his expenses in accordance with existing statutes.

Very truly yours,



CRAWFORD C. MARTIN
Attorney General of Texas

Prepared by Linward Shivers
Assistant Attorney General

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Hon. Jim C. Langdon, page 3 (M- 121)

APPROVED:

OPINION COMMITTEE

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